

United States District Court

DISTRICT OF
Massachusetts

ZONEPERFECT NUTRITION COMPANY

V.

HERSHEY FOOD CORPORATION,
HERSHEY CHOCOLATE & CONFECTIONERY
CORPORATION and BARRY D. SEARS

SUMMONS IN A CIVIL CASE

CASE NUMBER:

04 10760 REK

TO: (Name and address of defendant)

HERSHEY CHOCOLATE & CONFECTIONERY CORPORATION
CT CORPORATION
101 FEDERAL STREET
BOSTON, MA 02110

The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

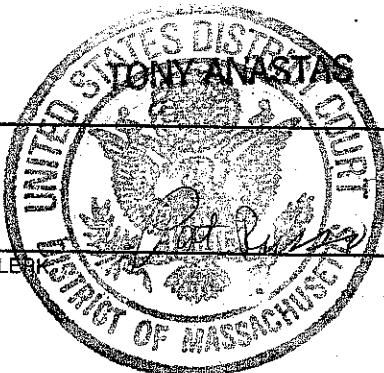
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Daniel L. Goldberg
Joshua M. Dalton
Matthew L. Mitchell
BINGHAM MCCUTCHEN LLP
150 Federal Street
Boston, MA 02110

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

(BY) DEPUTY CLERK



DATE

4-15-04

RETURN OF SERVICE

Service of the Summons, Complaint, Hearing Notice, Cover Letter to Court
Civil Action Cover Sheet, Civil Action Category Sheet, Report on the
Filing of Determination of an Action Regarding Trademarks, Corporate Disclosure
Form, Short Order of Notice, Motion for Expedited Case Management Order
And Memorandum in Support of Motion was made by me

DATE: 4/16/04
1:53 P.M.

NAME OF SERVER (Print): BRANDON COPES TITLE: Private Process Server

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of
suitable age and discretion then residing therein.

Name of the person with whom the summons and complaint were left: _____

Returned unexecuted: _____

☒ Other (specify): served HERSHEY CHOCOLATE & CONFECTIONERY CORPORATION C/O THE
CORPORATION TRUST COMPANY at 1209 ORANGE STREET, WILMINGTON, DE. Copies were Accepted
by
GREGORY BORGESE, PROCESS AGENT

STATEMENT OF SERVICE FEES

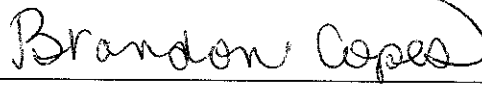
TRAVEL: SERVICES: TOTAL:

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing
information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 4/16/04

Date:


Signature of Serve BRANDON COPES
Address of Server PO BOX 1360 WILM DE 19899